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Fishing industry disappointed over European Commission decision to maintain the Birds and Habitats Directives unchanged

- For Immediate release -

Europêche and EAPO, the representative bodies of the EU fishing sector have expressed their frustration at the decision taken by the College of Commissioners recognising that, following a “fitness check”, the European Birds and Habitats Directives remain relevant and fit for purpose. Therefore, on the basis of this decision, these Directives will not be reviewed. The European Commission (EC) will however develop an Action Plan to correct the deficiencies encountered in the implementation of the Birds and Habitats Directives.

The two main regulatory pillars of EU nature legislation are the Directive on the conservation of wild birds (Birds Directive, adopted in 1979) and the Directive on the conservation of natural habitats and of wild fauna and flora (Habitats Directive, adopted in 1992). These Directives establish a common EU framework which sets the standards across the Member States for nature protection implemented through an EU network of areas of high biodiversity value, called Natura 2000.

The EC “fitness check” has revealed the challenges and problems encountered with these two Directives, which primarily relate to the insufficient management and lack of adequate investment in the Natura 2000 network, as well as to local deficiencies such as delays and unnecessary burdens for project permits. Furthermore, it recognised the need to improve the implementation of the Directives and their coherence with broader socio-economic objectives, including other EU policy areas such as energy, agriculture and fisheries.

The sector completely agrees with the last problem identified since fisheries is actually one of the most heavily impacted sectors by the measures implemented through these Directives in the last decades. Sensitive coastal communities have had to live with many area closures to fishing which led to job losses. For this purpose, the fishing industry constantly requires serious socio-economic impact assessments before closing off parts of European waters from extractive use.

Javier Garat, President of Europêche stated: *“Fishermen are natural observers of the fishing grounds and are the first concerned about the good environmental status. However, whenever there is a proposal to close an area to fishing, it must be based on a scientific recommendation and bring tangible benefit for nature compared with the previous situation and not only be based on beliefs or expert opinions on the potential advantages”*.

In addition to these issues, the fishing bodies have identified other important problems such as the lack of flexibility in the implementation of these Directives, insufficient stakeholder involvement in the adoption of measures, prioritisation of environmental concerns over socio-economic factors and lack of incentives to the sector to take up costly environmental measures. Furthermore, there are many

undetermined legal concepts in these Directives that generate a lot of confusion and, as a consequence, result in arbitrary actions of national authorities.

Finally, the fishing sector stresses that the Natura 2000 Directives are not sufficiently coherent with other European environmental laws (i.e. Water Framework Directive, Environmental Liability Directive or Marine Strategy Framework Directive) which causes a severe bureaucratic burden on fishermen since several impact assessments need to be carried out under these Directives for the same project.

Javier Garat, President of Europêche continued: *“We have missed a great opportunity to show that Europe is able to efficiently solve problems and to update and do more for the environment with less bureaucracy and hindrance to socio-economic progress. For instance, the Natura 2000 measures implemented in the German EEZ are a very worrying development for the whole European sector. The total exclusion of all bottom contacting gears and the creation of no-take zones are drastic measures and will serve no purpose if it is not possible to make clear what are they protecting and why; as they simply shift fishing pressure elsewhere. Areas closed to fishing or types of fishing have to be supported by science and not part of an arbitrary target”*.

President of EAPO, Pim Visser declared: *“Birds and Habitats Directives were originally designed for terrestrial use and are now being applied on sea basin which leads to a misfit, an issue which needs specific attention in the coming period. Besides, the fishing sector is used to have a reform of its policies every 10 years. We fail to understand why the Directives in the environmental policy remain unchanged for more than 25 years even if the deficiencies are so obvious.”*

The fishing sector looks forward to participating in the design of the future Action Plan so as to reducing unnecessary burdens for the sector while maximising nature protection.

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Europêche represents the fisheries sector in Europe. Currently, the Association comprises 15 national organisations of fishing enterprises from the following 10 EU Member States: DE, DK, ES, FR, IT, MT, NL, LV, PL and UK.

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